

3723. Misbranding of canned shrimp. U. S. v. Max Pinkus (John Price & Co.).
Plea of nolo contendere. Fine, \$1,000, of which \$750 was remitted.
(F. D. C. No. 7291. Sample No. 54447-E.)

The labeling of this product falsely represented that it had been packed under the supervision of the United States Food and Drug Administration.

On August 11, 1942 the United States attorney for the Eastern District of Pennsylvania filed an information against Max Pinkus, trading as John Price & Co., Philadelphia, Pa., alleging that on or about October 2, 1941, a quantity of glass-packed shrimp in unlabeled jars had been shipped in interstate commerce to the defendant and that during the period from said date to on or about December 11, 1941 and while the said shrimp was being held for sale after such shipment in interstate commerce, the defendant had labeled a quantity of said shrimp by affixing and causing to be affixed to the jars, a label bearing the following statements and design: "Garden Reg. U. S. Pat. Off. Brand [vignette of house and garden] Drained Weight 5¾ Oz. Shrimp Production Supervised by U. S. Food and Drug Administration Packed For John Price & Co. Phila., Pa., U. S. A.," and that such act had resulted in the article's being misbranded.

The information alleged further that the article when so labeled, was misbranded in that the statement "Production supervised by U. S. Food and Drug Administration" was false and misleading since it represented that the shrimp had been produced under the supervision of the U. S. Food and Drug Administration, whereas it had not been so produced.

The information also alleged further violation by the defendant in the unlawful and unauthorized use of the Sea Food Inspection legend in violation of the Food and Drugs Act of 1906, as reported in notice of judgment No. 31146 published under that act.

On September 9, 1942, the defendant having entered a plea of nolo contendere, the court imposed a fine of \$1,000 on each of the two counts but remitted \$750 of each fine.

Nos. 3724 to 3728 report the seizure and disposition of frozen shrimp that was in whole or in part decomposed.

3724. Adulteration of frozen shrimp. U. S. v. 148 Bags of Frozen Shrimp. Default decree of condemnation and destruction. (F. D. C. No. 7120. Sample Nos. 89385-E, 89801-E.)

On April 2, 1942, the United States attorney for the Southern District of New York filed a libel against 148 bags of frozen shrimp at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about September 23, 1941, by Dallas & Wells from Southport, N. C.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On May 4, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3725. Adulteration of frozen shrimp. U. S. v. 43 Bags of Frozen Shrimp. Default decree of condemnation and destruction. (F. D. C. No. 7119. Sample No. 89384-E.)

On April 2, 1942, the United States attorney for the Southern District of New York filed a libel against 43 bags of frozen shrimp at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 13, 14, and 15, 1941, by King Shrimp Co. from Brunswick, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On May 4, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3726. Adulteration of frozen shrimp. U. S. v. 198 Bags of Frozen Shrimp. Default decree of condemnation and destruction. (F. D. C. No. 7562. Sample No. 89544-E.)

On May 26, 1942, the United States attorney for the Southern District of New York filed a libel against 198 bags of frozen shrimp at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about April 23 and 24, 1942, by the Louis Crab Factory from Brunswick, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On June 12, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.